

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

LAZY J RANCHES LIMITED  
PARTNERSHIP,

Plaintiff,

v.

UNITED STATES OF AMERICA AND  
UNITED STATES FOREST SERVICE,  
Defendants.

**CV-23-67-BU-BMM**

**ORDER**

**INTRODUCTION**

Plaintiff Lazy J Ranches Limited Partnership (“Lazy J”) filed this action on October 4, 2023. (Doc. 1.) Defendants United States of America and United States Forest Service (collectively “Defendants”) filed a motion to dismiss for lack of subject matter jurisdiction on December 22, 2023. (Doc. 5.) Lazy J filed an amended complaint on January 4, 2024. (Doc. 8.)

Federal Rule of Civil Procedure 15 provides that a party may amend its pleading within 21 days after service of a motion under Rule 12(b). *See* Fed. R. Civ. P. 15(a)(1)(B). Lazy J complied with this requirement. Defendants may file a renewed motion to dismiss addressing Lazy J’s amended complaint if they choose to do so.

**ORDER**

Accordingly, **IT IS ORDERED:**

1. Defendants' Motion to dismiss for lack of jurisdiction (Doc. 5) is **DENIED as moot.**

DATED this 8th day of January, 2024.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

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Brian Morris, Chief District Judge  
United States District Court